

Attorney for Plaintiff  
MARTIN MARTINEZ

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Attorney for Defendant  
UMC

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MARTIN MARTINEZ,	)	CASE NO. 2:13-cv-00003-APG-VCF
	)	
	)	STIPULATION AND ORDER TO AMEND
Plaintiff,	)	DISCOVERY PLAN AND SCHEDULING
	)	ORDER
vs.	)	[FIRST REQUEST]
	)	
	)	
CLARK COUNTY, a political subdivision, and	)	
municipality including its department,	)	
UNIVERSITY MEDICAL CENTER,	)	
	)	
Defendants.	)	

Plaintiff, MARTIN MARTINEZ (hereinafter "Plaintiff" or "Martinez") and Defendant, CLARK COUNTY, a political subdivision, and municipality including its department, UNIVERSITY MEDICAL CENTER (hereinafter "Defendant" or "UMC"), by and through their

undersigned counsel, hereby agree and stipulate to amend the current Discovery Plan and Scheduling Order (Dkt #11), by extending the current discovery cut-off date of September 2, 2013 and related dates 90 days.

**1. Statement specifying the discovery completed to date.**

Plaintiff:

Initial disclosures	May 3, 2013
Plaintiff's First Set of Requests for Production	May 25, 2013
Plaintiff's First Set of Interrogatories	May 25, 2013
Responses to Defendant's Interrogatories	Currently due September 2, 2013
Responses to Defendant's Requests for Production	Currently due September 2, 2013

Defendant:

Initial Disclosures	May 6, 2013
First Supplement Initial Disclosures	June 5, 2013
Responses to Plaintiff's First Set of Interrogatories	July 22, 2013
Responses to Plaintiff's First Set of Requests for Production	July 23, 2013
Defendant's Interrogatories (Set One) to Plaintiff	August 2, 2013
Defendant's Requests for Production of Documents and other Tangible Things (Set One) to Plaintiff	August 2, 2013

**2. A specific description of the discovery that remains to be completed.**

Plaintiff currently desires to depose Karen Edwards, James Mumford, Anthony Tyler, Teresa Scupi, Cheryl Zimmer, Vicki Wolms, Firooz Mashhood, M.D. and G. Michael Elkanich, M.D. Defendant currently desires to depose Plaintiff. Both parties are in the process of scheduling these depositions.

In addition both parties might propound additional written discovery.

**3. The reasons why the discovery remaining was not completed within the time limits set by the scheduling order.**

1. Counsel for Plaintiff has recently prepared two oppositions to motions for summary judgment, in addition to his workload in other cases; and

2. Defendant's counsel is currently involved in a complex matter involving three separate cases consolidated for discovery purposes. In addition, Defendant's counsel has been involved in three labor arbitration matters which have consumed more time than anticipated.

**4. A proposed schedule for completing all remaining discovery.**

1. Last day to conduct discovery: December 2, 2013.

2. Last day to file dispositive motions: January 2, ~~2013~~ <sup>2014</sup>.

3. Last day to file Joint Pretrial Order: February 1, ~~2013~~ <sup>2014</sup>. In the event dispositive motion(s) are filed, the date for filing the Joint Pretrial Order shall be suspended until 30 days after the Court enters a ruling on the dispositive motions, or otherwise by further order of the Court.

This is the parties' first request for an extension of the discovery deadline and is being done <sup>21</sup>~~20~~ days before the current discovery cut-off.

For good cause shown, the parties request that this stipulation and order be granted.

Respectfully submitted,

DATED: 08/13/2013

LAW OFFICES OF MICHAEL P. BALABAN

BY: /s/ Michael P. Balaban  
Michael P. Balaban  
LAW OFFICES OF MICHAEL P. BALABAN  
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1 DATED: 08/13/2013

PITEGOFF LAW OFFICE

2  
3 BY: /s/ Jeffery Pitegoff

4 Jeffery Pitegoff

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5 415 South Sixth Street, Suite 300

6 Las Vegas, NV 89101

7 **ORDER**

8  
9 IT IS SO ORDERED.

10 Dated this 22<sup>nd</sup> day of August, 2013.



11 Honorable Cam Ferenbach  
12 United States Magistrate Judge